

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **SHAUN D. PARSON, M.D.**

4 Holder of License No. 27008  
5 For the Practice of Allopathic Medicine  
6 In the State of Arizona.

Case No. MD-15-0330A

**ORDER FOR PROBATION  
AND CONSENT TO THE SAME**

7 Shaun D. Parson, M.D. ("Respondent"), elects to permanently waive any right to a  
8 hearing and appeal with respect to this Order for Probation; admits the jurisdiction of the  
9 Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

10 **FINDINGS OF FACT**

11 1. The Board is the duly constituted authority for the regulation and control of  
12 the practice of allopathic medicine in the State of Arizona.

13 2. Respondent is the holder of license number 27008 for the practice of  
14 allopathic medicine in the State of Arizona.

15 3. The Board initiated case number MD-15-0330A after receiving a self-report  
16 on March 23, 2015 from Respondent that he had been cited for driving under the influence  
17 ("DUI") in 2008 and 2009. Respondent reported that he believed that the Board had been  
18 timely informed of the arrests. Respondent also reported that he completed all court-  
19 ordered requirements resulting from the arrests, including all civil and motor vehicle  
20 mandates.

21 4. Respondent was referred for an assessment with the Board's Physician  
22 Health Program ("PHP") Contractor. In his PHP assessment report, the PHP Contractor  
23 recommended that Respondent enter into a two year PHP monitoring agreement.

24 5. Respondent entered into an Interim Consent Agreement for PHP  
25 participation on May 7, 2015 and is currently compliant with the terms and conditions of  
that Interim Consent Agreement.

1  
2 **CONCLUSIONS OF LAW**

3 a. The Board possesses jurisdiction over the subject matter hereof and over  
4 Respondent.

5 b. The Board has the authority to enter into monitoring agreement with  
6 physicians for substance abuse treatment or rehabilitation pursuant to A.R.S. § 32-  
7 1452(D) ("A doctor of medicine or physician assistant who is impaired by alcohol or drug  
8 abuse shall agree to enter into a stipulation order with the board or the doctor or physician  
9 assistant shall be placed on probation or shall be subject to other action as provided by  
10 law.").

11 c. The conduct and circumstances described above constitutes unprofessional  
12 conduct pursuant to A.R.S. § 32-1401(27)(s) ("Violating or attempting to violate, directly or  
13 indirectly, or assisting in or abetting the violation of or conspiring to violate any provision of  
14 this chapter."). Specifically, Respondent's conduct violated A.R.S. § 32-3208(A) ("A health  
15 professional who has been charged with a misdemeanor involving conduct that may affect  
16 patient safety or a felony after receiving or renewing a license or certificate must notify the  
17 health professional's regulatory board in writing within ten working days after the charge is  
18 filed.").

19 **ORDER**

20 IT IS HEREBY ORDERED THAT:

21 1. Respondent's license shall be placed on Probation with the following terms  
22 and conditions:  
23  
24  
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1           2.     Respondent shall promptly enroll in and participate<sup>1</sup> in the Board's Physician  
2 Health Program ("PHP") for a period of **two years**.

3           3.     Respondent shall not consume alcohol or any food or other substance  
4 containing poppy seeds or alcohol.

5           4.     Respondent shall not take any illegal drugs or mood altering medications.

6           5.     All prescriptions for controlled substances shall be approved by the PHP  
7 prior to being filled except in an *Emergency*. Controlled substances prescribed and filled  
8 in an emergency shall be reported to the PHP within 48 hours. Respondent shall take no  
9 *Medication* unless Respondent's Primary Care Physician ("PCP") or other health care  
10 provider to whom the PCP refers Respondent prescribes and the PHP approves the  
11 *Medication*. Respondent shall not self-prescribe any *Medication*. "Medication" means a  
12 prescription-only drug, controlled substance, and over-the counter preparation, other than  
13 plain aspirin, plain ibuprofen, and plain acetaminophen. "Emergency" means a serious  
14 accident or sudden illness that, if not treated immediately, may result in a long-term  
15 medical problem or loss of life.

16           6.     Respondent shall submit to random biological fluid, hair and nail testing for  
17 two years from the date of this Order (as specifically directed below) to ensure compliance  
18 with PHP.

19           7.     Respondent shall provide the PHP in writing with one telephone number that  
20 shall be used to contact Respondent on a 24 hour per day/seven day per week basis to  
21 submit to biological fluid, hair and/or nail testing to ensure compliance with PHP. For the  
22 purposes of this section, telephonic notice shall be deemed given at the time a message to  
23 appear is left at the contact telephone number provided by Respondent. Respondent  
24

25 \_\_\_\_\_  
<sup>1</sup> Respondent's PHP participation shall be retroactive to May 7, 2015.

1 authorizes any person or organization conducting tests on the collected samples to  
2 provide testing results to the PHP. Respondent shall comply with all requirements for  
3 biological fluid, hair and/or nail collection. Respondent shall pay for all costs for the testing.

4 8. Respondent shall provide the PHP with written notice of any plans to travel  
5 out of state.

6 9. Respondent shall successfully complete a PHP approved 36 hour  
7 alcohol/drug awareness education class.

8 10. Respondent provides full consent for the PHP to discuss the Respondent's  
9 case with the Respondent's PCP or any other health care providers to ensure compliance  
10 with PHP.

11 11. The relationship between the Respondent and the PHP is a direct  
12 relationship. Respondent shall not use an attorney or other intermediary to communicate  
13 with the PHP on participation and compliance issues.

14 12. Respondent shall be responsible for all costs, including costs associated with  
15 participating in PHP, at the time service is rendered or within 30 days of each invoice sent  
16 to the Respondent. An initial deposit of two months PHP fees is due upon entering the  
17 program. Failure to pay either the initial PHP deposit or monthly fees 60 days after  
18 invoicing will be reported to the Board by the PHP and may result in disciplinary action up  
19 to and including revocation.

20 13. Respondent shall immediately provide a copy of this Order to all employers,  
21 hospitals and free standing surgery centers where Respondent currently has or in the  
22 future gains or applies for employment or privileges. Within 30 days of the date of this  
23 Order, Respondent shall provide the PHP with a signed statement of compliance with this  
24 notification requirement. Respondent is further required to notify, in writing, all employers,  
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1 hospitals and free standing surgery centers where Respondent currently has or in the  
2 future gains or applies for employment or privileges of a violation of this Order.

3 14. In the event Respondent resides or practices as a physician in a state other  
4 than Arizona, Respondent shall participate in the rehabilitation program sponsored by that  
5 state's medical licensing authority or medical society. Respondent shall cause the  
6 monitoring state's program to provide written quarterly reports to the PHP regarding  
7 Respondent's attendance, participation, and monitoring. The monitoring state's program  
8 and Respondent shall immediately notify the PHP if Respondent is non-compliant with any  
9 aspect of the monitoring requirements or is required to undergo any additional treatment.

10 15. The PHP shall immediately notify the Board if Respondent is non-compliant  
11 with any aspect of the monitoring requirements or this Order.

12 16. In the event of the use of drugs or alcohol by Respondent in violation of this  
13 Order, Respondent shall promptly enter into an Interim Consent Agreement for Treatment  
14 at a PHP approved facility. Following the successful conclusion of treatment, Respondent  
15 shall enter into an Interim Consent Agreement for full participation in PHP. In no respect  
16 shall the terms of this paragraph restrict the Board's authority to initiate and take  
17 disciplinary action for violation of this Order.

18 17. Prior to the termination of Probation, Respondent must submit a written  
19 request to the Board for release from the terms of this Order. Respondent's request for  
20 release will be placed on the next pending Board agenda, provided a complete submission  
21 is received by Board staff no less than 14 days prior to the Board meeting. Respondent's  
22 request for release must provide the Board with evidence establishing that he has  
23 successfully satisfied all of the terms and conditions of this Order. The Board has the sole  
24 discretion to determine whether all of the terms and conditions of this Order have been

1 met or whether to take any other action that is consistent with its statutory and regulatory  
2 authority.

3 18. This Order supersedes any and all Consent Agreements previously entered  
4 into by Respondent and the Board regarding this matter.

5 19. The Board retains jurisdiction and may initiate new action against  
6 Respondent based upon any violation of this Order.

7 DATED AND EFFECTIVE this 3<sup>rd</sup> day of June, 2016.

9 ARIZONA MEDICAL BOARD

10 By Patricia E. McSorley  
11 Patricia E. McSorley  
12 Executive Director

13 **CONSENT TO ENTRY OF ORDER**

14 1. Respondent has read and understands this Consent Agreement and the  
15 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent  
16 acknowledges he has the right to consult with legal counsel regarding this matter.

17 2. Respondent acknowledges and agrees that this Order is entered into freely  
18 and voluntarily and that no promise was made or coercion used to induce such entry.

19 3. By consenting to this Order, Respondent voluntarily relinquishes any rights to  
20 a hearing or judicial review in state or federal court on the matters alleged, or to challenge  
21 this Order in its entirety as issued by the Board, and waives any other cause of action  
22 related thereto or arising from said Order.

23 4. The Order is not effective until approved by the Board and signed by its  
24 Executive Director.

1           5. All admissions made by Respondent are solely for final disposition of this  
2 matter and any subsequent related administrative proceedings or civil litigation involving  
3 the Board and Respondent. Therefore, said admissions by Respondent are not intended  
4 or made for any other use, such as in the context of another state or federal government  
5 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or  
6 any other state or federal court.

7           6. Upon signing this agreement, and returning this document (or a copy thereof)  
8 to the Board's Executive Director, Respondent may not revoke the consent to the entry of  
9 the Order. Respondent may not make any modifications to the document. Any  
10 modifications to this original document are ineffective and void unless mutually approved  
11 by the parties.

12           7. This Order is a public record that will be publicly disseminated as a formal  
13 disciplinary action of the Board and will be reported to the National Practitioner's Data  
14 Bank and on the Board's web site as a disciplinary action.

15           8. If any part of the Order is later declared void or otherwise unenforceable, the  
16 remainder of the Order in its entirety shall remain in force and effect.

17           9. If the Board does not adopt this Order, Respondent will not assert as a  
18 defense that the Board's consideration of the Order constitutes bias, prejudice,  
19 prejudgment or other similar defense.

20           10. Any violation of this Order constitutes unprofessional conduct and may result  
21 in disciplinary action. A.R.S. § § 32-1401(27)(r) ("Violating a formal order, probation,  
22 consent agreement or stipulation issued or entered into by the board or its executive  
23 director under this chapter.") and 32-1451.

11. Respondent has read and understands the conditions of probation.

  
SHAUN D. PARSON, M.D.

DATED: 5/31/16

EXECUTED COPY of the foregoing mailed  
this 2<sup>nd</sup> day of June, 2016 to:

Shaun D. Parson, M.D.  
Address of Record

ORIGINAL of the foregoing filed  
this 3<sup>rd</sup> day of June, 2016 with:

Arizona Medical Board  
9545 E. Doubletree Ranch Road  
Scottsdale, AZ 85258

  
Board Staff